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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,383	07/13/2000	Marc S. Casalaina	21113-04968	3220
22830	7590	11/17/2004	EXAMINER	
CARR & FERRELL LLP 2200 GENG ROAD PALO ALTO, CA 94303			TRAN, PHILIP B	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary**Application No.**

09/615,383

Applicant(s)

CASALAINA, MARC S.

Examiner

Philip B Tran

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 5-34 are rejected under 35 U.S.C. § 102(b) as being anticipated by Banga et al (Hereafter, Banga), "Optimistic Deltas for WWW Latency Reduction", In Proc. 1997 SENIX Technical Conf., pp. 289-303, Anaheim, CA, January, 1997.

Regarding claim 1, Banga teaches a method for updating a configuration page on a user side of an Internet based configuration system without having to contact a server side of the configuration system, the method comprising a responsive to the user side receiving a user input that is associated with delta configuration page information available at the user side, retrieving the delta configuration page information without having to contact the server side of the configuration system, and updating the configuration page based on the delta configuration page information (i.e., sending delta page for updating the changes from the proxy cache to client without making contact with the content provider) [see Abstract and Pages 295-297].

Regarding claim 2, Banga further teaches the delta configuration page information is comprised of a control delta that represents changes in a control of the

configuration page as a result of the user input (i.e., deltas controlling based upon client request) [see Page 295].

Regarding claim 3, Banga further teaches the delta configuration page information embodies preprocessed configuration engine computations that are responsive to the user input (i.e., computing the delta) [see Page 295].

Regarding claims 5-6, Banga further teaches the updating step is performed by a process that is embedded in the configuration page and the delta page information is embedded in the configuration page [see Pages 295-296].

Regarding claims 7-8, Banga teaches a method for transmitting product configuration information generated by a server side of an Internet-based configuration system to user side of the configuration system, the method comprising a generating a configuration page that allows a user to provide a user input to the configuration system, associating delta configuration page information with the configuration page, and transmitting the configuration page and the delta configuration page information to the user side from the server side (i.e., sending delta page for updating the changes from the proxy cache to client) [see Abstract and Pages 295-297].

Claims 9-10 are rejected under the same rationale set forth above to claims 5-6.

Claims 11-12 are rejected under the same rationale set forth above to claims 2-3.

Regarding claim 13, Banga further teaches transmitting a process for updating the configuration page with the delta configuration page information to the user side from the server side [see Abstract].

Claims 14, 16, 18, 20 and 21 are rejected under the same rationale set forth above to claim 7.

Claim 15 is rejected under the same rationale set forth above to claim 11.

Claims 17 and 19 are rejected under the same rationale set forth above to claim 1.

Claims 22-23 are rejected under the same rationale set forth above to claim 2.

Claim 24 is rejected under the same rationale set forth above to claim 1.

Claim 25 is rejected under the same rationale set forth above to claim 2.

Claim 26 is rejected under the same rationale set forth above to claim 7.

Claim 27 is rejected under the same rationale set forth above to claim 11.

Claims 28-29 are rejected under the same rationale set forth above to claim 10.

Claim 30 is rejected under the same rationale set forth above to claims 7 and 13.

Regarding claims 31-32, Banga further teaches wherein the delta page information is embedded in the received new page and is received before the new page [see Pages 295-296].

Claims 33-34 are rejected under the same rationale set forth above to claims 10-11.

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Banga et al (Hereafter, Banga), "Optimistic Deltas for WWW Latency Reduction", In Proc. 1997 SENIX Technical Conf., pp. 289-303, Anaheim, CA, January, 1997 in view of Sutcliffe et al (Hereafter, Sutcliffe), U.S. Pat. No. 6,253,216.

Regarding claim 4, Banga does not explicitly teach the updating step further comprises layering the delta configuration page information that is associated with the user input into the configuration page via Dynamic HTML. However, Sutcliffe, in the same field of configuration page information endeavor, discloses the use of dynamic HTML [see Col. 8, Lines 24-65]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to implement dynamic HTML because it would have enhanced the user to register and update personalized information on the web [see Col. 8, Lines 37-39].

Response to Arguments

5. Applicants' arguments have been fully considered but they are not persuasive because of the following reasons :

Banga teaches a method and system for updating a configuration page on a user side of an Internet based configuration system without having to contact a server side of the configuration system, the method comprising a responsive to the user side receiving a user input that is associated with delta configuration page information available at the user side, retrieving the delta configuration page information without having to contact the server side of the configuration system, and updating the configuration page based on the delta configuration page information. For example, sending delta page for updating the changes from the proxy cache to client without making contact with the content provider. Transferring optimistically data that may be out of date and then sending either subsequent confirmation that the data is current or a delta to change the older version to the current one. In addition, if both sides of the slow link already store the same older version, just the delta need to be transferred to update it. Thus, it significantly reduce the latency of traffic over the network [see Abstract and Pages 295-297]. The examiner respectfully maintains that proxy is not considered as part of server side as argued by applicant. As a result, delta page information is retrieved without having contact the server side of the configuration system as disclosed by Banga as shown above.

Other independent claims are merely variations of claim 1. Therefore, the examiner asserts that Banga teaches or suggests the subject matter broadly recited in

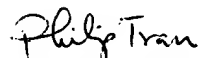
independent claims. Claims 2-6, 8-13, 22-23, 25, 27-29 and 31-34 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth above. Accordingly, rejections of claims 1-34 are respectfully maintained.

6. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS, OR THIRTY DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached on (571) 272-3978.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.


Philip B. Tran
Art Unit 2155
Nov 10, 2004